



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

APR 17 2014

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-127

**Certified Mail Number Return Receipt Requested**

Anthony Bowers, Safety and Security Manager  
Lake Washington Institute of Technology  
11605 132<sup>nd</sup> Avenue Northeast  
Kirkland, Washington 98034

Re: **NOTICE OF VIOLATION**  
Lake Washington Institute of Technology  
EPA ID Number WAD 98177 2486

Dear Mr. Bowers:

This Notice of Violation (NOV) is to inform Lake Washington Institute of Technology (LWIT) of violations of the Resource Conservation and Recovery Act, as amended (RCRA), at your facility in Kirkland, Washington. These violations were identified as a result of an inspection conducted by the U.S. Environmental Protection Agency (EPA) on March 11, 2014, at LWIT located at 11605 132<sup>nd</sup> Avenue Northeast, Kirkland, Washington. The inspection was conducted pursuant to EPA inspection authority under Section 3007 of RCRA (42 U.S.C. § 6927). Washington has a federally authorized RCRA program; therefore, the inspection was conducted to assess compliance with the authorized portions of WAC 173-303. From the observations made during the inspection, the RCRA violations cited below were identified at your facility.

**Violation 1: Failure to Store Universal Waste Fluorescent Lamps in Closed Containers**

The regulation found at WAC 173-303-173(9)(c)(ii) requires that containers of universal waste lamps be kept closed.

During the inspection, the EPA inspectors observed universal waste lamps in open containers.

Failure to store universal waste lamps in a closed container is a violation of WAC 173-303-173(9)(c)(ii).

**Violation 2: Failure to Place a Start Date on Containers of Hazardous Waste**

The regulation at WAC 173-303-200(1)(c) allows a generator to accumulate dangerous waste onsite without a permit provided that the generator marks containers of hazardous waste with the date on which accumulation of hazardous waste began.

At the time of the inspection, the inspectors observed in the less than 90 day accumulation area six drums of hazardous waste oil that were not marked with the date accumulation began. This does not comply with the start date condition.

### **Violation 3: Failure to Properly Label Containers of Hazardous Waste**

The regulation at WAC 173-303-200(1)(d) allows a generator to accumulate dangerous waste on-site without a permit provided that the generator marks containers of hazardous waste with the words "dangerous waste" or "hazardous waste" and a label indicating the major risk associated with the waste.

At the time of the inspection, the inspectors observed in the less than 90 day accumulation area six drums of hazardous waste oil that were not marked with the words "dangerous waste" or "hazardous waste" and a label indicating the major risk associated with the waste. This does not comply with the labeling condition.

### **Required Action**

Within fifteen (15) days of receipt of this NOV, the EPA requests that you submit a written response and/or photographs that identify actions you have taken or will take to correct the above violations. These violations may subject LWIT to enforcement action under Section 3008 of RCRA, including the assessment of civil penalties.

Please send all material submitted in response to this NOV to Jack Boller by email at [bolter.jack@epa.gov](mailto:bolter.jack@epa.gov), or to the following address:

Jack Boller  
U.S. Environmental Protection Agency  
Air-RCRA Compliance Unit, OCE-127  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101

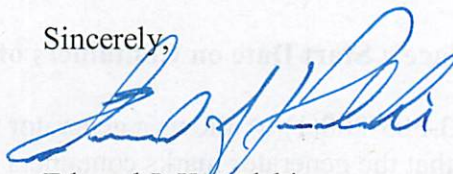
### **EPA Reservation of Rights**

Notwithstanding this NOV or your response, EPA reserves the right to take any action pursuant to RCRA or any other applicable legal authority. Your response to this NOV does not constitute compliance with RCRA.

Nothing in this NOV or your response shall affect duties, obligations, or responsibilities with respect to LWIT under local, state, or federal law or regulation.

Thank you for your prompt attention to this important matter. If you have questions regarding this NOV, please contact Jack Boller of my staff at 206-553-2953 or [bolter.jack@epa.gov](mailto:bolter.jack@epa.gov).

Sincerely,



Edward J. Kowalski  
Director

cc: Dave Misko  
Washington Department of Ecology  
Northwest Regional Office